

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

NOV 15 2005

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
	)	
PETITIONER,	)	
	)	
VS.	)	
	)	CAUSE NO. A-1641
MARVIN E. JIROVSKY,	)	
	)	
RESPONDENT.	)	
	)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Eric Dunning, and Marvin E. Jirovksy, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb.Rev.Stat. §44-101.01 and §44-4047, et seq.
2. Respondent was held a suspended insurance producer license under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Marvin E. Jirovksy, on October 12, 2005. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.
2. The petition alleges that Respondent violated *Neb.Rev.Stat. § 44-4059 (1)(b)* as a result of the following conduct:

a. On or about July 9, 2004 Respondent, who was not appointed with Mutual of Omaha Insurance Company, sold and solicited insurance for John Mohr, in violation of *Neb.Rev.Stat.* § 44-4061; and

3. The petition alleges that Respondent violated *Neb.Rev.Stat.* § 44-4059 (1)(j) as a result of the following conduct:

a. On or about July 9, 2004 Respondent signed an application for insurance submitted by John Mohr to Mutual of Omaha Insurance Company, as "Mary T. Jirovsky", an agent who was appointed with Mutual of Omaha Insurance Company.

3. The Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.


4. Respondent admits the allegation restated in Paragraphs 2 and 3 above.

#### CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of *Neb.Rev.Stat.* §44-4059 (1)(b), (1)(j), and 44-4061.

#### CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent that Respondent shall pay an administrative fine of one thousand dollars on or before fifteen (15) days from the date on which the Director signs this Consent Order. Respondent further agrees that Respondent's insurance producer license shall be suspended for three months commencing on the date on which the Director signs this Consent Order. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

  
Representative for Nebraska  
Department of Insurance

Date \_\_\_\_\_

Maria E. Jevinsky  
Respondent

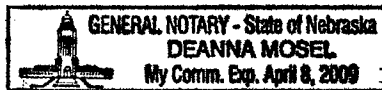
Date 11-10-2005

Attorney for Respondent

Date \_\_\_\_\_

State of Nebraska )  
 ) ss.  
County of Madison )

On this 10th day of November 2005, Marvin E. Jirovsky personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Shanna Mae  
Notary Public

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the

Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs.  
Marvin E. Jirovsky, Cause Number A-1641.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

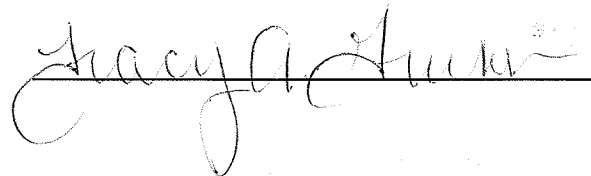


L. TIM WAGNER  
Director of Insurance

November 15, 2005  
Date

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Consent Order was sent to the Respondent by sending a copy to Respondent at his address as registered with the Department of Insurance, 3317 Golf Course Drive, Box 381, Norfolk, Nebraska 68702-0381, via certified mail, return receipt requested on this 10th day of November 2005.



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